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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

E-FILED - 10/6/05

PERLITO CAPILI SULIT and
 ESTELA SULIT,

Petitioners,

v.

MICHAEL CHERTOFF, Secretary, Department
 of Homeland Security; CHARLES DEMORE,
 District Director, Immigration and Customs
 Enforcement; NANCY ALCANTAR, Field
 Office Director, Immigration and Customs
 Enforcement; and ALBERTO GONZALES,
 Attorney General of the United States,

Respondents.

Case No. C 05-0958-RMW

**STIPULATION TO A BRIEFING
 SCHEDULE AND ORDER**

The petitioners, by and through their attorney of record, and respondents, by and through their attorneys of record, hereby stipulate, subject to approval by this Court, to the following briefing schedule on whether this Court must transfer the above-entitled habeas case to the United States Court of Appeals for the Ninth Circuit:

Petitioner's Brief: September 23, 2005

Respondents' Reply: October 14, 2005

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2 Dated: August 22, 2005

Respectfully submitted,

3 KEVIN V. RYAN
4 United States Attorney

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6 /s/
7 EDWARD A. OLSEN¹
8 Assistant United States Attorney

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10 Dated: August 22,

11 /s/
12 JAMES TODD BENNETT
13 Attorney for Petitioners

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16 **ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.

18 Date: 10/6/05

19 /S/ RONALD M. WHYTE

20 RONALD M. WHYTE
21 United States District Judge

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¹I, Edward A. Olsen, attest that both Attorney Bennett and I have signed this stipulation and will produce the original signed copies upon request.